

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Krishnan Chari, et al

CYAN FLUORESCENCE DYE FOR  
COATED OPTICAL BEAD  
RANDOM ARRAY DNA  
ANALYSIS  
Serial No.

Filed Herewith

Group Art Unit: To be assigned

Examiner: To be assigned

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November 14, 2003

Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT FOR CONSIDERATION**  
**BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of record the above-identified documents. A full text copy of each document is attached, except for copies of U.S. patents and U.S. patent application publications. For documents not in English, an English translation or an equivalent English language patent or publication may be attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement (hereinafter "Statement") is submitted according to the following selected paragraph:

- I.  This Statement is being filed under §1.97(b) within three months of the filing date of the application (other than a CPA), or before the mailing of a first Office action on the merits or before the mailing of a first Office action after the filing of a request for continued examination.
- II.  This Statement is being filed under §1.97(c), with fee, **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account Number 05-0225. A duplicate copy of this Certification is enclosed.

III.  This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):

each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

IV.  This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):

each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



Kathleen Neuner Manne/fd  
Telephone: 585-722-9225  
Facsimile: 585-477-1148  
Enclosures

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Attorney for Applicants  
Registration No. 40101

FORM PTO-1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Atty. Docket No. <b>85500KNM</b> Customer No. 01333	Serial No.
If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee		Applicant: <b>Donald R. Diehl, et al</b>	
<b>LIST OF ART CITED BY APPLICANT</b> (Use several sheets if necessary)		Filing Date	Group

**U.S. PATENT DOCUMENTS**

Examiner Initial*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,412,087	05-02-1995	McGall et al.			
	5,489,678	02-06-1996	Fodor et al.			
	5,981,180	11-9-1999	Chandler et al.			
	6,023,540	02-08-2000	Walt et al.			
	6,079,283	06-27-2000	Papen et al.			
	6,083,762	07-04-2000	Papen et al.			
	6,094,966	08-01-2000	Papen et al.			

**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES   NO

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	<i>Nature Biotech</i> , "Quantum-dot-tagged microbeads for multiplexed optical coding of biomolecules," 19, 631-635, (2001).
	<i>Science</i> , Research Article, February 1991, pp 767-773, "Light-Directed Spatially Addressable Parallel Chemical Synthesis," by Stephen P. A. Fodor et al.
	Diehl et al., MAGENTA LOW FLUORESCENCE DYE FOR COATED OPTICAL BEAD RANDOM ARRAY DNA ANALYSIS, Attorney Docket No. 85501 filed even date herewith.
	Diehl et al., YELLOW LOW FLUORESCENCE DYE FOR COATED OPTICAL BEAD RANDOM ARRAY DNA ANALYSIS, (Attorney Docket No. 85502) filed even date herewith.

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	